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Right of peoples to self-determination

Letter dated 19 December 2016 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

In accordance with the newly published instructions on the right of reply, the United Kingdom would like to exercise its right of reply in response to a statement made by the distinguished representative of Spain.

On 22 November, during discussions on agenda item 67 in the Third Committee, the representative of Spain made a series of claims about Gibraltar. The Secretariat did not understand the UK's request to exercise our right of reply during the meeting, meaning the session closed before we delivered our statement. Accordingly, we wish to place the following statement in the official record of proceedings:

The United Kingdom would like to exercise the right of reply in response to the statement of the distinguished representative of Spain.

The United Kingdom of Great Britain and Northern Ireland recalls its sovereignty over Gibraltar and the territorial waters surrounding it and reaffirms that, as a separate territory recognized by the United Nations and included since 1946 in its list of Non-Self-Governing Territories, Gibraltar enjoys the rights accorded to it under the Charter of the United Nations. The United Kingdom also recalls that the people of Gibraltar enjoy the right of self-determination. The 2006 Gibraltar Constitution, which was endorsed in a referendum by the people of Gibraltar, provides for a modern and mature relationship between Gibraltar and the UK.

The Government of the United Kingdom restates its long-standing commitment to the people of Gibraltar that it will not enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their freely and democratically expressed wishes. The United Kingdom also confirms that it will not enter into a process of sovereignty negotiations with which Gibraltar is not content.

The United Kingdom reaffirms its commitment to safeguard Gibraltar, its people and its economy.

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Her Majesty's Governments of the United Kingdom and Gibraltar remain firmly committed to the trilateral Forum for Dialogue as the most credible, constructive and practical means of strengthening UK-Gibraltar-Spain relations for the benefit of all parties. The United Kingdom regrets the fact that the Government of Spain withdrew formally from those talks in 2012.

Under the 2006 Constitution, Her Majesty's Government of Gibraltar has competence over all policy areas except for external relations, defence and internal security, which are reserved by Her Majesty's Government of the United Kingdom. Gibraltar's active participation, in its own right, in any dialogue process is therefore non-negotiable.

Gibraltar is a territory to which the European Union treaties largely apply. The UK Government has therefore committed to fully involving Her Majesty's Government of Gibraltar as we prepare for the process to exit the European Union. Otherwise, the United Kingdom's vote to leave the European Union does not change our unwavering commitment to respecting Gibraltar's wishes on sovereignty. As already noted, we will not enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their freely and democratically expressed wishes. Nor will the United Kingdom enter into a process of sovereignty negotiations with which Gibraltar is not content. The United Kingdom and Gibraltar remain strongly committed to talks on a trilateral basis.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 67.

(*Signed*) Matthew **Rycroft**